

Kevin N. Anderson
Nevada Bar No. 4512
David R. Hague (Admitted Pro Hac Vice)
FABIAN & CLENDENIN
215 South State Street, Suite 1200
Salt Lake City, Utah 84111-2323
Telephone: 801-531-8900
Facsimile: 801-596-2814
Email: kanderson@fabianlaw.com
dhague@fabianlaw.com

Counsel for James M. Rhodes

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,

Reorganized Debtors

Case No.: 09-14814-LBR
(Jointly Administered)

Chapter 11

**DECLARATION OF KEVIN N.
ANDERSON**

Hearing Date: October 5, 2011
Hearing Time: 9:30 a.m.
Place: Courtroom 1

☒ Affects all Debtors

☐ Affects the following Debtors

I, Kevin N. Anderson, make the following statement under the penalty of perjury of the laws of the United States of America and the laws of the State of Nevada.

1. I am over the age of eighteen (18).
2. I am an attorney licensed to practice law in the State of Nevada.
3. I represent James M. Rhodes ("**Rhodes**") in the above-entitled bankruptcy case.

6. It was not until September 15, 2011, after Rhodes had filed his *Motion to Quash Orders of Rule 2004 Examination and Corresponding Subpoenas and/or for Protective Orders* (the “**Motion to Quash**”), that the Litigation Trust provided me with copies of all the Rule 2004 Subpoenas issued by the Litigation Trust.

7. Also on September 15, 2011, the Litigation Trust declined my proposal that the hearing on the Motion to Quash be heard on an expedited basis due to the urgency and exigent nature of the Rule 2004 Subpoenas.

8. On September 30, 2011, I contacted counsel for the Litigation Trust, Michael Yoder, and attempted to resolve the various objections Rhodes has with the Rule 2004 Subpoenas.

DATED this 30th day of September, 2011.

/s/ Kevin N. Anderson

Kevin N. Anderson